

**BOROUGH OF BRADLEY BEACH**

**RESOLUTION 2021-310**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES FOR THE SANITARY SEWER SYSTEM REHABILITATION-PHASE II PROJECT**

Mayor Fox offered the following resolution and moved its adoption:

**WHEREAS**, the Borough of Bradley Beach has a need for Professional Services in connection with the **Sanitary Sewer System Rehabilitation Project, Phase II**, pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, **Leon S. Avakian, Inc.** has set forth its proposed services in a written updated proposal dated December 7, 2021. A copy which is available at the office of the Municipal Clerk; and

**WHEREAS**, the said proposal is for the following Engineering services for the **Sanitary Sewer System Rehabilitation-Phase II**:

- **Task I: Fieldwork, Design, Plans, Specifications and submittal of the application.**
- **Task II: Construction Administration and Observation.**

**WHEREAS**, the said proposal is for Engineering services in connection with the Sanitary Sewer Rehabilitation Project, Phase II.

**WHEREAS**, the proposed amount of the contract with Leon S. Avakian Engineering Services is \$520,000.00; and

**WHEREAS**, such Professional Engineering Services can only be provided by licensed professionals and the firm of **Leon S. Avakian, Inc.**, 788 Wayside Road, Neptune, New Jersey 07753 is so recognized; and

**WHEREAS**, the Governing Body has determined that it is in the best interest of the Borough of Bradley Beach to retain Leon A. Avakian, Inc. for the proposed services in connection with the Sanitary Sewer Project Phase II set forth in its proposals; and

**WHEREAS**, this contract is to be awarded for the amount not to exceed \$520,000.00 for Professional Engineering Services as stated in **Leon S. Avakian's** updated proposal dated December 7, 2021; and

**WHEREAS**, Leon S. Avakian, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Bradley Beach in the previous one year and that the contract will prohibit Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract; and

**WHEREAS**, **Leon S. Avakian, Inc.** has completed and submitted a Political Contribution Disclosure Form in accordance with P.L. 2005, c271; and

**WHEREAS**, certification of available funds is hereby provided by the Chief Financial Officer of the Borough of Bradley Beach;

**I hereby certify that the funds are available as follows:**

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**Anthony Mannino, Chief Financial Officer**

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Bradley Beach as follows:

1. Leon S. Avakian is hereby retained to provide Engineering Services in connection with the Sanitary Sewer System Rehabilitation Project, Phase II as described in their updated proposal dated December 7, 2021 for an amount not to exceed \$520,000.00.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1) (a). The Mayor and Municipal Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution and Contract shall be placed on file with the Municipal Clerk.
4. The Municipal Clerk is hereby directed to publish notice of this award as required by law.

Seconded by Councilman \_\_\_\_\_ and adopted on roll call by the following vote:

**AYES**

**NAYS**

**ABSTAIN**

**ABSENT**

Mr. Bonnell  
Mr. Gubitosi  
Mr. Sexsmith  
Mr. Weber  
Mayor Fox

#### **CERTIFICATION**

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the December 14, 2021 Council Meeting.

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Erica Kostyz, RMC, CMR  
Municipal Clerk